

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:15-CR-49-TAV-DCP
)	
TIMOTHY WOODS,)	
)	
Defendant.)	

ORDER

This criminal case is before the Court on defendant's pro se motion to modify conditions of supervised release [Doc. 62]. On October 1, 2015, defendant pleaded guilty to conspiracy to distribute and possess with the intent to distribute oxycodone and conspiracy to commit money laundering [Docs. 25, 28]. The Court sentenced defendant to sixty-three (63) months' imprisonment, to be followed by three (3) years of supervised release [Doc. 57]. Defendant began his term of supervised release on August 31, 2019. On October 3, 2019, the Court received a letter from defendant asking the Court to modify the terms of his supervised release to permit out-of-district travel in connection with employment as a truck driver [Doc. 62]. Defendant also supplies a letter from a potential employer, who has worked with defendant in the past and is interested in employing him as a truck driver again.

The United States Probation Officer assigned to defendant's case reports extensive conversations with defendant about the request. The probation officer has informed the Court that defendant has reported to the probation officer that he could drive a completely in-state route, which would make it possible for him to be home every evening. The probation officer does not oppose modifying defendant's supervised release to permit him to drive such a route.

The government has informed the Court that it likewise has no objection to such a modification.

Title 18, § 3583(e)(2) of the United States Code provides as follows:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—

(2) . . . modify, reduce, or enlarge the conditions of supervised release, at any time prior to the expiration or termination of the term of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation and the provisions applicable to the initial setting of the terms and conditions of post-release supervision.

18 U.S.C. § 3583(e). After carefully considering the requirements of the statute, the Court finds that the relevant provisions of 18 U.S.C. § 3553(a) support modifying the terms of defendant's supervised release to permit him to travel within the state of Tennessee in connection with his proposed employment as a truck driver, which would make it possible for him to be home every evening. Accordingly, the Court hereby **GRANTS in part** defendant's motion [Doc. 62] to the extent that defendant is permitted to travel within the state in connection with his employment as a truck driver, so long as defendant's route makes it possible for him to be home each evening. Defendant's motion is otherwise **DENIED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE